

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JERRY LEON DEES, JR.)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO.: 2:07 cv306-MHT
)
 HYUNDAI MOTOR)
 MANUFACTURING ALABAMA)
 LLC,)
)
 Defendants.)


MOTION TO QUASH SUBPOENA

COMES NOW a non-party Dr. Saeed A. Shah and moves this Honorable Court for an Order directing that the records and/or oral testimony of the non-party as they pertain to **JAMES A. BROOKSHIRE** remain confidential and this Honorable Court issue an Order quashing the subpoena served upon the Movant requesting medical/psychiatric records related to the foregoing individual and for grounds would show as follows:

1. That your movant is not a party to this action and is a mental health services provider.
2. That pursuant to Sec. 34-26-2, Code of Alabama, (1975); the Health Insurance Portability and Accountability Act of 1996, (HIPPA); and the psychotherapist privilege afforded by the United States Supreme Court to licensed psychiatrists in the case of Jaffe v. Redmond, 518 U.S. 1, 15, 135 L.Ed. 2d 337, 116 S.Ct. 1923 (1996), the records and/or testimony requested in this case contain

Page Two
Motion To Quash
2:07-cv-00306-MHT-CSC

information gathered pursuant to the assessment and treatment of
JAMES A. BROOKSHIRE and is therefore confidential information
and is not subject to disclosure.



Stephen B. Griffin
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ASB-9998-F64S

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion has been served
upon counsel of record by placing a copy of same in the United States Mail postage pre-
paid this the 12th day of December 2007 properly addressed as follows:

cc:

Hon. Jeffrey R. Sport
1810 Old Government Street
Post Office Box 66710
Mobile, AL 36660

Hon. Scott Kelley
One Federal Place
1819 8th Avenue North
Suite 1000
Birmingham, AL 35203-2118



Of Counsel